

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RAYMOND L. HILL,) 4:06CV742
)
Petitioner,)
)
v.) MEMORANDUM AND ORDER
)
FRED BRITTON, Warden,)
)
Respondent.)

The petitioner has filed a petition for writ of habeas corpus and an amendment to the petition. (Filing Nos. 1 and 7.) The respondent has filed an answer, with state court records. (Filing Nos. 8 and 9.)

The case is ready for progression. Accordingly,

IT IS ORDERED that:

1. The following progression order is entered:
 - A. No later than October 15, 2007, the respondent shall file a separate brief. The brief shall address all matters germane to the case including, but not limited to, the merits of the petitioner's allegations, and whether any claim is barred by a failure to exhaust state remedies, a procedural bar, non-retroactivity, a statute of limitations, or because the petition is an unauthorized second or successive petition. *See, e.g.,* Rules 5(b) and 9 of the Rules Governing Section 2254 Cases in the United States District Courts. *In addition, the brief shall contain "pin point" citations to the state court records.* When respondent serves a copy of the brief on

petitioner, respondent shall also provide the petitioner with a copy the specific pages of the record which are cited in the respondent's brief.

- B. No later than 30 days following the filing of the respondent's brief, the petitioner shall file and serve a brief in response. The petitioner shall submit no other documents unless directed to do so by the court.
 - C. No later than 30 days after the filing of the petitioner's brief, the respondent shall file and serve a reply brief.
 - D. No discovery shall be undertaken without leave of the court. *See Rule 6 of the Rules Governing Section 2254 Cases in the United States District Courts.*
2. The Clerk of the court is directed to set a pro se case management deadline using the following text: December 16, 2007, briefing should be complete.

September 12, 2007.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge